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LONDON, SATURDAY, SEPT. 12, 1925

### THE "ACT OF TOLERATION"

A few weeks ago we pointed out that over-enthusiastic Philadelphians, in preparation for the sesquicentennial celebration of the Declaration of Independence, in their just commendation of William Penn for the wide religious liberty he granted in the colony which he founded, were less than just to Lord Baltimore, the founder of Maryland, who had maintained the same wide liberty for nearly fifty years before the beginnings of Pennsylvania.

In reading up the history of this period we came across some other interesting events which, we are sure, will prove of interest to our readers.

"On 25 March, 1634," writes the Jesuit Father Andrew White in his "Relatio Itineris in Marylandiam," or "Narrative of the Voyage of the Ark and the Dove," "we celebrated Mass for the first time in the island (St. Clement's). This had never been done before in this part of the world." Thus was begun the colony of Maryland.

The charter which issued to Cecilius Calvert, in addition to granting a large tract of territory, also contained the most comprehensive grant of civil and political authority that ever emanated from the English Crown. It was a palatinate that was created with royal and vice-regal power. The grantee appointed the governor and all the civil and military officers of the province. The writs ran in his name. He had power of life and death over the inhabitants as regards punishment for crime. He could erect manors, the grantees of which enjoyed all the rights and privileges belonging to that kind of estate in England. He could confer titles of honor and thus establish a colonial aristocracy. Of all the territory embraced within the boundaries set out in the charter, "the grantee, his heirs, successors and assigns, were made and constituted the true and absolute lords and proprietaries."

This is important. There have not been wanting efforts to deprive the Catholic founders of Maryland of the unique honor which is their due as the pioneers of religious liberty and equality. The great power and authority of the Catholic Calverts, Lords Baltimore, must be kept in mind, if honor is to be given to whom honor is due.

In 1649 the General Assembly passed the celebrated Toleration Act.

Under a provision in the charter giving to the Lords Baltimore the initiation of legislation in the province, Cecilius Calvert had drawn up a body of laws, sixteen in number, to be adopted by the assembly, and among them was this famous Act. It was passed by that body without a dissenting voice. "And whereas," it reads, "the enforcing of the conscience in matters of religion hath frequently fallen out to be of dangerous consequence in those commonwealths where it hath been practised, and for the more quiet and peaceable government of the province and the better to preserve mutual love and amity amongst the inhabitants thereof: Be it therefore enacted that no person or persons whatsoever within this province . . . professing to believe in Jesus Christ, shall henceforth be, in any way troubled, molested or discounted for or in respect of his or her religion or in the free exercise thereof within this province or in anything compelled to the belief or exercise of any other religion against his or her consent." The Act then provides penalties for violation of its provisions. In the controversies about this celebrated Act of Toleration, efforts have been made by some Protestant writers to deprive Cecilius Calvert of the merit of its authorship, but the

judgment of all fair historians gives to Cecilius Calvert, and to him alone, following the example of his father, the honor of "being the first in the annals of mankind," as Bancroft says in his History of the United States, "to make religious freedom the basis of the State."

Though the "Act of Toleration" has the unique honor of being the first of the kind after the divisions consequent on the Reformation, it did not initiate the practice of religious toleration in Maryland. It merely put into the law of the land what had been the custom from the very beginnings of the colony.

Bancroft writes: "At the instance of the Catholic proprietor, the Protestant Governor Stone, and his council of six, composed equally of Catholics and Protestants, and the representatives of the people of Maryland, of whom five were Catholics, at a general session of the Assembly, held in April, 1649, placed upon their statute-book an act for religious freedom which, by the unbroken usage of fifteen years, had become sacred to their soil."

The following passage, also from Bancroft, has an interest all its own in view of the deserved honor that will, in the next year or so, be given to the Quaker William Penn, the second great champion of religious liberty in America. It indicates the very great probability that Penn received his inspiration from his predecessor in the same great cause.—Lord Baltimore:

"The progress of Maryland under the proprietary governor was tranquil and rapid. . . The administration of Maryland was marked by conciliation and humanity. To foster industry, to promote union, to cherish religious peace—these were the honest purposes of Lord Baltimore during his long supremacy. The persecuted and unhappy thronged to his domains. The white laborer rose rapidly to the condition of a free proprietor; the female emigrant was sure to improve her condition. From France came Huguenots; from Germany, from Holland, from Sweden, from Finland, it may be thought more rarely, from Piedmont and even from Bohemia, the children of misfortune sought protection under the tolerant sceptre of the Roman Catholic, and were made citizens with equal franchise. The people called Quakers met for religious worship publicly and without interruption; and with secret satisfaction George Fox relates that members of the legislature and the council, persons of quality, and justices of the peace, were present at a large and very heavenly meeting."

George Fox was the founder of the Society of Friends or Quakers. Is it not likely, then, that Penn, who had become a disciple of Fox, and who had suffered with Catholics religious persecution at home, was influenced directly by Fox himself in the matter of his "holy experiment" of religious freedom?

In the neighboring colony of Virginia there was enacted a law requiring of all persons strict conformity with the worship and discipline of the Church of England, the established Church of that colony. This act was put into vigorous execution by the governor, and a considerable number of Puritans were driven out of Virginia into Maryland. Soon they began to complain that their consciences would not allow them to acknowledge the authority of the Catholic proprietor and in 1650 they rebelled and seized the government of the colony. They convened a General Assembly to which Catholics were declared ineligible either as members or as voters. The first thing this Assembly did was to repeal the "Act of Toleration" and to enact another which declared: "That none who profess and exercise the Papistic, commonly known as the Roman Catholic religion, can be protected in this province." The members of the Church of England were also proscribed.

During the Puritan usurpation the Catholic Church suffered greatly. Swashbucklers paraded the province, breaking into the chapels and mission houses and destroying property. Three of the Jesuit priests were obliged to flee into Virginia.

With the restoration to power of Lord Baltimore in 1658 "The Toleration Act" was reenacted and another long period of religious peace and freedom ensued, which came to an end only on the acces-

sion of William of Orange to the English throne.

Cecilius Calvert was a conscientious Catholic. "It was to this fact," declares Prof. William Hand Brown of Johns Hopkins University in his History of a Palatinate, "that he owed all the hostility he had to meet with. He had only to declare himself a Protestant and all this hostility would have ceased. This he did not do."

So to Lord Baltimore there is a twofold glory: His unwavering loyalty to his own conscience, when such loyalty was grievously tested, is something worthy of the noble pioneer in religious toleration and equality, and freedom of conscience for all.

Let us forget the ingratitude and intolerance of the Puritan rebels who found an asylum in Maryland and close with another tribute to the cradle of religious freedom from Bancroft:

"English statutes were not held to bind the colonies, unless they specially named them; the clause which, in the charter for Virginia, excluded from that colony 'all persons suspected to affect the superstitions of the Church of Rome,' found no place in the charter for Maryland; and, while allegiance was held to be due, there was no requirement of the oath of supremacy. Toleration grew up in the province silently, as a custom of the land. Through the benignity of the administration, no person professing to believe in the divinity of Jesus Christ was permitted to be molested on account of religion. Roman Catholics, who were oppressed by the laws of England, were sure to find an asylum on the north bank of the Potomac; and there, too, Dissenters were sheltered from Protestant intolerance. From the first, men of foreign birth enjoyed equal advantages with those of the English and Irish nations."

So that, while it is true that the decline of public speaking is in part due to the fact that people feel the need for getting to the point, it is also due, and very greatly due, to the fact that we live in an age of slovenly speaking, of inaccurate and hasty thinking, and we are too easily satisfied with short cuts without demanding that speakers be logical or comprehensive.

### THE DECLINE OF PUBLIC SPEAKING

By THE OBSERVER

As a partial exposition of a matter which has been referred to more than one occasion in this column, we quote the following article from The New York Times. It is of some interest to all those whose duties require them to address public audiences:

Mr. W. B. Yeats—we ought to say Senator Yeats of the Irish Free State—recently committed himself in Dublin in the assertion that "the day of oratory is past." For an Irishman this must be a confession hard to make. If Irish eloquence is disappearing, where on a desolate earth can oratory find a rest for the sole of its foot? In truth, Mr. Yeats contends that great public speaking is dead not only in Ireland but "everywhere in the modern world." It is doubtful if he could have said this if he had been familiar with the capacities and endurance tests of some of our own orators from the South and the West.

One would hate to think that the great tradition of Irish oratory is so broken as Mr. Yeats seems to believe. He referred to the period of the old Irish Parliament. There was certainly magnificent speaking in those days. It was part of that flowering culture in the Dublin of the eighteenth century which gave the city a European reputation. Some of the orations of Curran and Flood can still be read with pleasure, if with no great profit. Nor were Irishmen lacking after the Union with England to illustrate the qualities of Celtic eloquence. The names of O'Connell and Plunkett still shine with a kind of glory in English Parliamentary annals. It can hardly be that the old and inherited oratorical impulse has been extinguished. It merely seeks expression in different forms.

Quite possibly this is what Mr. Yeats really meant. Oratory has not expired, but has changed its methods and styles with changing times. The florid, oratorical and tediously long speeches of other days would scarcely be tolerated now. Some United States Senators attempt that form, but usually with rather sad results. The old-fashioned ambition of a listening Senate to command has certainly passed away. The Senate will not listen to interminable orators. Yet it will attend to a man of influence who has something to say, and who makes his remarks simple and direct, without any attempt to twine about them flowers of rhetoric.

This is undoubtedly the direction in which modern oratory is changing. Audiences and the public desire speakers to be more pointed, swifter in the movement of their discourse and much more business-like than their predecessors were expected to be. Yet for a real orator there is still room and verge enough. A man with strong convictions, based on hard thinking, who is also gifted with a poetic temperament and the power of moving and passionate expression, can always

count upon being heard gladly. Orators may change outwardly with the lapsing years, but the born orator will be in demand and have his place so long as the right of free assemblage and unfettered discussion is kept alive in democracies.

It is true that many of the speeches delivered long ago seem now to have been too wordy, and to have been unnecessarily encumbered with matter not directly bearing on the question before the speaker and his audience. For instance, some of the speeches delivered by the great advocate Erskine in jury cases in England cover from a hundred and fifty to two hundred pages of an octavo volume. Such speeches are not delivered today in court trials, for more than one reason. In the first place, time is a greater object now than it was then, or, at least, most people think so. A lawyer who should now try one of Erskine's speeches of that length, would probably tire his jury to death and lose his case for that reason.

Secondly, because of the multitude of matters which have to be dealt with by modern courts and parliaments and other public bodies, it is highly desirable that the essential point in each matter be found and handled as directly and quickly as possible. But there is more than that: Erskine was a master of the English language and had the art of expression highly developed; and most modern speakers get bogged down in half an hour at the most, and no matter how much more they would like to say, and no matter how important may be that more should be said, they are simply stuck, and if they do not sit down they begin to repeat what they have already said.

So that, while it is true that the decline of public speaking is in part due to the fact that people feel the need for getting to the point, it is also due, and very greatly due, to the fact that we live in an age of slovenly speaking, of inaccurate and hasty thinking, and we are too easily satisfied with short cuts without demanding that speakers be logical or comprehensive.

Much of the public speaking of the present time is absurd. It is not alone the length of old time speeches that has been abandoned but also their clearness, their logic and their informative effects. There is nothing more annoying to those who love good speaking, than to see a man fumbling about for words to express his meaning and then taking the wrong ones. And the slovenly speakers of today cannot take comfort from the thought that they are at all events giving their audience the substance and point of the matter they attempt to explain. The Erskines of a former time really did that, though at the cost of prolixity, but the art of full exposition of a subject in a public address is not at all the sure possession of a speaker just because he has cast away all the graces and beauties of a former age of oratory.

The knowledge that a great speech was expected was the cause of great preparation, and great care. It is rarely now that one sees any sign of preparation in a public speech. The main idea seems to be that anything will do. Vocabularies are becoming more and more limited. The schoolboy of today who has paid attention to his little studies in school can detect inaccuracies and wrong construction in most of the public speeches of the present times.

This is not at all as it should be. Those who undertake to address public audiences ought to be beyond the reach of children's criticism, surely. And what will be the effect of this on the children? Why, of course, they will conclude, and only too willingly, that what they are set to learn in their school classes is, not after all, of any importance. That is one effect. Another is, that the thoughts of the speaker remain unexpressed. Whether they are or are not worth hearing, they are unheard, because the man who wishes to communicate them, has never taken the trouble to learn how to communicate his ideas to others.

Small vocabularies, fumbling speakers, unattractive style, on the one hand; and on the other, tired audiences, inattentive hearers, unexplained subjects. These are the inevitable effects of our modern disregard of the arts and graces of public speaking. Thoughts will not communicate themselves. Careful and reasonable means must be employed, and the public speaking of this day almost totally disregards those means.

### NOTES AND COMMENTS

REGARDING MARY, Queen of Scots, and her vindication at the hands of Mr. Ainsworth Mitchell, alluded to in these columns in June last, further particulars are now to hand and we proceed to give our readers the benefit of them. As stated in June, Mr. Mitchell, who was described in the dispatch as "an Home Office expert," is the editor of the *Analyst*, and author of a book on "Science and Criminals," and it was on the principles outlined in the latter that he undertook the examination of the documents connected with the case of the Scottish Queen. He has had many predecessors in the sifting of the charges against her, but not one who has given to the documents in question that scientific examination which only an expert such as he was qualified to give. Mr. Hossack's great work, "Mary Queen of Scots and her Accusers" will forever hold its place as the standard work on the subject, but Mr. Mitchell's probing is of a different sort, and when more fully drawn out may well be bracketed with it.

It is upon the celebrated "Casket Letters" that the case against Mary has chiefly rested. They were made the pretext for depriving her of her throne, and of that long period of cruel imprisonment in England which preceded her execution. That they were clumsy forgeries, and the work of her enemies, Hossack and Skelton have clearly shown, but it remained for Mr. Mitchell to put the seal upon their findings by his minute examination of the documents still existing which bear upon them. The criminal, he finds, was not Mary, but her trusted Secretary, Maitland of Lethington, who, professing to be her friend, abused the trust committed to him by the Queen's undoing. A certain suspicion has always attached to his name, but so thorough was his work and that of his collaborators that it has taken nearly four hundred years to completely unmask them.

With the Casket Letters is to be bracketed the supposed contract of marriage between Mary and Bothwell, and another contract or obligation in which Mary promised to marry Bothwell. Referring to the latter, Mr. Mitchell says: "It is written in an ink which has turned brown with age, and the edges of the lines are of a darker shade of brown. The microscopic appearance of the ink and of the pen lines agrees exactly with that of the signature. A comparison of the writing of the signature with that of the genuine signatures of Mary Stuart shows that it cannot be accepted as her writing. The form of the letters, their curves and their relative heights and positions on the base line are quite different. Obvious dissimilarities in this and the genuine signature are the relative types of the 'M' and the following 'a' and the much wider top loop to the 'r' in this signature. Mary also made 'M' of relatively the same height as the rest of the signature, and the 'r' with very little extension of the upper loop to the left of the line."

"THE TEXT of the contract also differs markedly from Mary's cursive writing, but it is written for the most part in small printed script, and so may conceivably have had some resemblance to the script writing of Mary. Otherwise it would be difficult to account for the Commissioners accepting it as her handwriting. A minute comparison of the modes of formations of the Roman characters to those of Mary's handwriting leads to the conclusion that it was not written by her." And, dealing further with this contract of marriage, Mr. Mitchell says: "On studying the text of this document it will be observed that there are frequent lapses into the cursive writing of the period, and as Mary's Secretary, Sir William Maitland, of Lethington, was accused by his contemporaries of having forged the Casket Letters, it occurred to me to compare by modern methods of examination those more flowing characters with the authentic writing of Maitland."

It is as the result of this examination that Mr. Mitchell declares Maitland to be the writer of the letters which brought about Mary's dethronement, and, ultimately, her death. One letter, Mr. Mitchell says, at first glance shows little

resemblance to the text of the marriage contract. This, however, but accentuates the skill of the forger. After the various loops in that document are compared in photographic enlargements with the corresponding characters in Maitland's writing, the points of resemblance cannot be missed. Not only do the letters show the same mode of formation, but the methods of holding the pen and of applying the pen pressure also agree. But, more remarkable than any of these, he declares, is the formation of the "a." Maitland frequently but not invariably terminates this letter in a finely drawn-up extension, sometimes even reaching to the letter in the line beneath. This peculiarity appears more than once in the marriage contract.

THESE EXCERPTS suffice to show the thoroughness of Mr. Mitchell's methods. Taken in conjunction with the arguments of Hossack his findings are absolutely conclusive, and show how the ruin of Mary Stuart was accomplished. It was her unhappy lot to be thrown into that seething mass of corruption, the Scotland of the sixteenth century. The "Reformation" had gained control of the ruling class, and never in history was there so infamous a crew. Mary alone stood in the way of its complete triumph. Her destruction, therefore, was a necessity, and no stone in the way of infamous conspiracy was left unturned to accomplish it. She died after a stormy and troubled life, a martyr to her Catholic faith, and the world will yet accord to her her due.

### REVOLT IN MEXICO

#### FEARED

#### CALLES SURROUNDS HIMSELF WITH MILITARY CORDON

By Charles Phillips  
(Special Correspondent, N. C. W. C.)

Mexico City, Aug. 24.—Fear, as we have seen, rules Mexico. For the people of Mexico, and especially for those who practice the Catholic religion, there is no such thing as freedom of thought or liberty of action. Freedom and liberty do not go with fear. But fear is a double-edged sword. It cuts coming as well as going. The rulers of Mexico, who rule with the blade of fear, also live in fear. To live at all they must surround themselves with all the safeguards that fear sets up—precautions, suspicions, espionage, guns. The dictator of Mexico, Calles, the Bolshevik agent who is the inspiration of all the religious persecutions which now terrorize the country, lives as do his masters and idols of the Third International in Russia, in daily fear of his life and fenced in with every precaution that the mind of the terrorist can invent.

Lately the president, with unusual frequency, and very likely with most opportune convenience, has been ill—too ill to be seen or to see any but his intimates. Even some of these intimates recently have found access to his person difficult. He sleeps literally surrounded by a cordon of armed guards. His espionage system daily increases its ramifications. I have come to know that in certain cases I have not been more than an hour in a given city, even in an interior state, without being spotted and my every movement observed till I got out—only to have the process repeated in my next stopping place. So the life of Mexico goes on for governed and government, in daily increasing fear. But out of this fear, perhaps in the very near future, may come a change which may bring to a pause, for a short while at least, the persecution of the Church.

#### STAGE SET FOR REVOLUTION

It is neither an agreeable nor a graceful thing to play the role of prophet of disaster. In the case of Mexico, of course, what may be disaster to the few at the same time may well prove a blessing to the many. But, blessing or disaster, this can be said, that all things point at the present moment to a radical change in the course of Mexican government affairs. To put it bluntly, the stage is set for a new revolution. Calles may soon lose his office.

Before another word is said of this matter, let me make as plain as language can make it, the fact that such an outcome of events as a new revolution or an overthrow of the present government by violence, will not come out of the Church persecution and will have no relation to it. It must be understood that such an eventuality is not only not desired by the Catholic Church authorities in Mexico, but is feared by them. The bishops and priests of Mexico do not wish religious freedom at any such cost. They, with the thinking Catholics of Mexico behind them, are the only people in this country who have the right idea, the American idea of government—that is, the idea that the only good and permanent change that can ever come to Mexico must come through order, through free suffrage, through the education of the

people in the art of self-government. Not in all the weeks I have spent in Mexico, in the midst of innumerable interviews and informal talks with clergy, and laity, have I ever detected even the faintest suspicion of favor for violence in changing the present condition. "The Church is for peace and only by peaceful methods can it operate." This sums up the entire Catholic thought of Mexico.

The church authorities here possess a real power, a steadily growing power. The Youth Movement among Mexican Catholics is rapidly developing toward vigorous self-consciousness. But at every turn the bishops and priests withhold their power and are checks against anything resembling physical force among their people; so much so in fact that even the idea of the organization of a Catholic political party is unanimously opposed by them. At times, it is true, self-consciousness among the people, the realization that they are the people and they have rights of which they are deprived, appears to give signs of jumping the traces of ecclesiastical authority; but never without the encouragement of that authority. So far as the Church is concerned, therefore, it can be unequivocally set down that no change of government in Mexico, no change in the conditions which now absolutely annul religious liberty, will be achieved by violence. Violence the Church does not wish and will not countenance. It was the violence of the priest Hidalgo, fighting for Mexican independence a hundred years ago, and not his patriotism, that brought the repudiation of the Church upon him. The Church in Mexico is true to its tradition of peace.

#### RUINING THE COUNTRY

Nevertheless, violence is in the offing in Mexico today. If the Calles government is overthrown, it will be because the opponents of Calles will not put up any longer with his attempts to sovietize the country, making of it a second Russian hotbed of Bolshevism and ruining it industrially, agriculturally, financially. That he has so ruined it already in an almost fatal measure is common knowledge. Mexico, one of the richest countries in the world, no longer feeds herself. Her specie supply is now so reduced that within a few weeks the government is expected to begin the flotation of paper currency. If that be done it may precipitate a catastrophe.

Calles got into power by making promises to the radical element of the country. The radical element is strong in Mexico. Organized labor there, unlike that of the United States, is largely "red." Soviet propaganda, fostered by Calles himself, who is an ardent admirer of Leninism, has heightened the "red" color of the Mexican proletariat, so that today it is quite of a shade with that of Moscow. But, when Calles got into power by making "red" promises, he had also at the same time to consolidate the ever-present military power of Mexico, the army. That power is not "red," and Calles has not succeeded in making it "red." Its interests are quite the opposite. It represents capital. Calles, caught between two powers and influenced by his own "red" predilections, has gone too far in favoring the socialistic elements, to please the military. And at the same time he has not gone far enough to please the "reds": some of them tried a few days ago to kill him by wrecking the presidential train. But the military has the guns; guns are more easily handled than railway engines.

#### GUARDS MULTIPLIED

Where a few weeks ago a sleepy sentry with a rifle stood guard in the vicinity of the president's palace or the public offices, today on the same beat there are two or three alert soldiers with rifles, pistols, even hand grenades and a uniformed porter loafed in the corridors or around the doors of the various bureaus of the government, today there are wideawake army officers always present. Calles himself, as I have said, sleeps behind a cordon. But there may be a ghastly irony in that. Outsiders may believe that Calles thus protects himself, yet, he, too, may possibly believe this. But my opinion is that by this time he knows better. My opinion is that he has a fear in his heart today of the very safeguards which his fear sets up. I shall not be surprised to hear some day, perhaps in the very near future, that the guns which apparently hedge in the president of Mexico, have thrust him out over the back fence and into the limbo of despots.

#### PROBABLE SUCCESSOR DESCRIBED

The candidate of the group which may throw Calles out is a dark horse and not any one of the figures usually conjured up as the next Mexican dictator. This man, who formerly prominent in the Obregon government, but is at present living privately, having refused all offices under Calles, although Calles, owing his succession to Obregon, has done everything to win him to his side. This man is a trained politician and an able administrator, and with capital and the army backing him, he may institute a regime of reorganization in Mexico. In doing that he and his supporters may let up for a while on the pet pastime of the "reds," religious persecution. If they do, the Church will thus benefit, not so much per-